

1. Decision Tree applies to longfin and delta smelt – not other fish; provided, however, parallel adaptive management and other-species-driven decisions may also relate to the need for additional outflow.
2. Establish and fund an effort to acquire 1.3 MAF for environmental benefit not to exceed \$3.5B
  - a. Revolving fund capitalized by \$1.5 Billion from PWAs. PWAs begin immediately to acquire long-term contracts at a discount from willing sellers.
  - b. Regulatory agencies assist as appropriate in acquisition discussions, including as to seller assurance package(s).
  - c. As state and federal funds are provided (~\$2 Billion [placeholder]) that money is used to continue to acquire such contracts for environmental water.
  - d. Upon acquisition of 1.3 MAF, additional state-federal funds used for partial reimbursement to PWAs [amount of reimbursement and terms to be determined].
3. PWAs' water risk is limited to ability to acquire enough water to get from low outflow scenario (4.7 MAF) to high outflow scenario (5.6 MAF)
4. Deal assumes assurances provided to sellers; assumes funds received by sellers invested in associated upstream fisheries benefits.
5. Must develop agreed upon approach to address scenarios such as (a) potential of not being able to acquire 1.3 MAF, (b) failure of public funding to be provided; or (c) other scenarios, and ensure incentives for acquisition program to acquire full amount.
6. Permits will be issued for a 30 year term plus two 10 year presumed renewals.